

REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks. Claims 54 and 56-59 have been canceled, claims 53 and 55 have been amended, and new claim 60 has been added. Thus, claims 53, 55 and 60 are pending in the application.

Applicant has attached hereto a marked-up version of the changes made to claims 53 and 55 by the current amendment. The attached page is captioned "Version with markings to show changes made."

Claim Objections:

In the Office Action, the Examiner indicated that the numbering of the claims was not in accordance with 37 CFR 1.126. Applicant thanks the Examiner for bringing this error to Applicant's attention and for renumbering claims 30-36 as claims 53-59, respectively. In light of the Examiner's amendment to the numbering of the claims, Applicant respectfully requests that the claim objections with respect to the pending claims be withdrawn.

Rejections under 35 U.S.C. §112

In the Office Action, claims 53-59 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant notes that the section 112, second paragraph, rejections with respect to claims 54 and 56-59 have been rendered moot in light of the cancellation of these claims.

With regard to independent claim 53, Applicant notes that this claim has been amended to more particularly recite that the surface is provided by a layer or coating of polymethylpentene material on a backing sheet. Applicant respectfully submits the foregoing amendment to claim 53 clarifies the structure of the claimed invention in accordance with section 112, second paragraph. Applicant, accordingly, respectfully requests that the section 112, second paragraph, rejection with respect to claim 53 and all claims dependent thereon be withdrawn.

Rejections under 35 U.S.C. §102

In the Office Action, claims 53 and 56 were rejected under 35 U.S.C. §102(b) as being anticipated by Mitsubishi Paper Mills (JP 04-039090) ("Mitsubishi"). Applicant notes that the section 102(b) rejection with respect to claim 56 has been rendered moot in light of the cancellation of this claim.

With regard to independent claim 53, Applicant notes that this claim has been amended to more particularly recite a surface being provided by a layer or coating of polymethylpentene material on a backing sheet, with the layer or coating being applied to the backing sheet at a weight in the range of about 10 gram/m² to about 30 gram/m², and the backing sheet being paper of a weight in the

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RESPONSE TO OFFICE ACTION - PAGE 3 -

range of 90 gram/m² to 110 gram/m². Applicant respectfully submits that Mitsubishi fails to teach or suggest these aspects of the claimed invention. More particularly, even if one does accept that Mitsubishi implicitly discloses a PMP layer of uniform thickness, it does not teach or suggest the density of the backing sheet or the weight of the polymethylpentene coating recited in claim 53. In thermal processing of images, the parameters of the materials which are used are critical in order to achieve optimal performance. Applicant further points out that the object of the article disclosed in Mitsubishi is directed to a different problem. Whereas the Mitsubishi article is aimed at enhancing the gloss and printing density of the printed product, certain embodiments of the present invention seek to overcome problems of distortion and to allow transfer of full color images. Applicant, accordingly, respectfully submits that a person of ordinary skill in the art would not be motivated to modify the structure and parameters of the Mitsubishi apparatus to teach or suggest the structure and parameters recited in claim 53. Therefore, because Mitsubishi fails to teach or suggest claim 53, Applicant respectfully requests that the section 102(b) rejection with respect to claim 53 and all claims dependent thereon be withdrawn.

Rejections under 35 U.S.C. §103(a)

In the Office Action claims 53-59 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mitsubishi. Applicant notes that the section 103(a) rejections with respect to claims 54 and 56-59 have been rendered moot in light of cancellation of these claims. Applicant further notes that deficiencies of Mitsubishi were discussed above with respect to independent claim 53. Therefore, because claim 55 depends from independent claim 53, Applicant respectfully requests that the section 103(a) rejection with respect to claim 55 be withdrawn for at least the reasons discussed above.

New Claims:

Applicant has also added new claim 60 which Applicant believes further defines over the cited art of record.

CONCLUSION

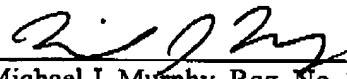
It is submitted that the present application is in form for allowance, and such action is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 23-2415 (Docket No. 16286.702).

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Paragraph beginning at page 9, line 5 has been amended as follows:

“A preferred material for the [second] image carrier is film form material comprising polyethylene naphthalate material.”

Paragraph beginning at page 10, line 3 has been amended as follows:

“Examination of the mirror toner image, when cool, as it appears on the surface of the [second] image carrier has revealed that the external surface of the image is hard, of somewhat crystalline appearance when viewed under a microscope and is resistant to scratching. [i]It is believed that this is due to the presence of PMP material which exhibits crystalline properties.

IN THE CLAIMS:

Please amend claims 53 and 55 as follows:

53. (Twice Amended) A material for transferring an image onto a substrate, the material comprising a carrier providing a surface on which an image can be created or onto which a preliminary transfer of an image can be made, said surface being provided by [film form material comprising] a layer or coating of polymethylpentene material on a backing sheet, [or by a supported layer or coating of polymethylpentene material, and] the layer or coating being applied at a substantially uniform thickness, the layer or coating being applied to the backing sheet at a weight in the range of about 10 gram/m² to about 30 gram/m², and the backing sheet being paper of a weight in the range of 90 gram/m² to 110 gram/m².

55. (Twice Amended) A material according to claim [30] 53, wherein said layer or coating is applied to [its support] the backing sheet at a weight of 25 grams/m².